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ABSTRACT

Recent decree laws in Chile, if implemented, will eliminate all professional "colegios" (governing bodies), including those for medicine, law, and journalism, and allow them the alternative of forming free trade unions. The twenty "colegios" of Chile require university education for membership and serve as monitors of the education and ethics within their professions. For journalists, the government action is particularly perplexing and exasperating. To understand their feelings, one has to examine the contributions of the "colegio" to journalists in the past. Whatever its value, however, it must be noted that the journalism "colegio" has always struggled with political divisiveness among its members, apathy, a small budget and staff, and even the inability to enforce its own regulations. Perhaps the most difficult of the "colegio's" activities to evaluate are those involving freedom of the press. The "colegio" has protested in one form or another every decree the military government has issued limiting freedom of the press, but little evidence exists that the government has taken them seriously. In any event, the rigidity of the government in its views and actions regarding professional "colegios" apparently has, in effect, activated an anti-government group that did not previously exist. It is likely that the journalism "colegio" will take on the nature of a trade union, issuing credentials rather than setting educational and ethical standards. (HOD)

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THE ROLE OF THE COLEGIO DE PERIODISTAS IN THE JOURNALISM OF CHILE

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THE ROLE OF THE COLEGIO DE PERIODISTAS

IN THE JOURNALISM OF CHILE

The present trend in Latin America for journalists and government to ally themselves in the "colegiación" of journalists is not a new one. Latin American reporters for years have sought ways to improve their low wages, low prestige and lack of educational standards. Unions have not been particularly effective and, furthermore, many reporters have not been attracted to them. As a result, an obligatory professional organization chartered by law and serving as a governing body (colegio de periodistas) like those of law and medicine is a tempting one.

Free press advocates, on the other hand, see colegios as an insidious and dangerous form of licensing. They argue that dictatorial governments or political groups could easily manipulate them to revoke or withhold credentials and thus control the profession. Freedom of press, they maintain, would suffer accordingly. They point out that Castro moved quickly to infiltrate and take over the Cuban colegio when he came to power, and that the Nicaraguan Journalists Union suspended a member in 1980

because a political leader criticized a government official and a Sandinista leader during a broadcast on his radio station.[1]

Proponents argue that a colegio could set not only the minimun legal standards of education and ethics for the profession and monitor its members, but also help protect them from government harassment and serve as a guardian of freedom of the press. Perhaps most importantly, they suggest, a colegio might give them unity, influence and power in bettering their incomes.

Journalists in most Latin American countries have been woefully underpaid for years and many work at two to three jobs to survive. The general minimun wage in Mexico, for example, is 5,700 pesos monthly, about $238. Many journalists receive the minimun and hence supplement their incomes by accepting money from their news sources. In Chile, the minimun scale for journalists in Santiago is $204.07 monthly and top scale is $357.12, although some newspapers pay more.[2] In both countries, the cost of living competes closely with that of the United States.

Pensions and other fringe benefits have generally been minimal also. Hence, the concept of "colegiación" attracts both those who want to raise the educational level and prestige of the profession, and those who see it as a way to raise their standard of living.

It is significant that in recent years politicans and governments, often authoritarian ones, have supported proposals for legislation legalizing an obligatory colegio. The Cubans formed the first one in 1942, but the real model for 20 years has been that of Chile. In 1972, for example, those journalists organizing the Venezuelan colegio looked to their Chilean counterparts for advice.[3] Now such colegios, or somewhat similar forms of licensing, also exist in Bolivia, Colombia, Costa Rica, Haiti, Nicaragua and Venezuela, and are under consideration in Argentina, the Dominican Republic and Puerto Rico.[4]

This Chilean "model," however, is now fighting for its survival and is likely to lose the battle with the authoritarian government of General Augusto Pinochet Uguarte. Recent decree laws (D.L. N°3,621 of February 1981 and N°2,757 of 1979), if implemented, will do away will all professional colegios, including medicine, law and journalism, and give them the alternative of forming free "asociaciones gremiales," i.e. trade unions.[5]

Some attribute the move to abolish the colegios to the Chilean economists who want to extend the Chilean economic plan of a free and competitive market to professional schools and professional services.[6]

Others note that the government is acutely aware that professionals as

a whole opposed the Allende government and fought for its overthrow. Some government officials, it is suggested, look upon the professionals as a potential political force that can be fragmented and disarmed merely by abolishing the colegios.[7] The twenty colegios of Chile require university education for membership and include such diverse professions as medicine, law, accounting, library science, teaching and psychology. Nineteen of them have a combined membership of about 250,000. All serve as monitors of the education and the ethics of their professions.[8]

For the Colegio Nacional de Periodistas, the government action is particularly perplexing and exasperating. Just three years ago, the government appeared to support professional colegiación when it revoked, at the Colegio's request, a transitory provision (Art. 24) of its charter that permitted those without journalism degrees but with two years of professional experience to become colegio members.[9] This action made the degree of "journalist" from one of Chile's approved universities mandatory for membership in the Colegio.[10] To understand why Chilean journalist are so perturbed by the recent government decree, however, one must examine how their Colegio has, or has not, served the profession during its existence.

When the law founding the Colegio Nacional de Periodistas de Chile was passed in 1956, it represented many years of struggle by those dedicated to making the profession a better one than when they entered it. Most were self-made journalists who had learned through experience, but who recognized the need to improve professional training and education. They were influential in founding the school of journalism at the University of Chile in 1952, the first in the country, and for passage of the law creating the Colegio. Among them was Ramón Cortez, the second director of the journalism school, and Juan Pacull, president of the Círculo Nacional de Periodistas, a social club which also provides medical services and other benefits for its members. It also provides free office space in its building for the headquarters of the Colegio Nacional and its regional affiliate, the Colegio Metropolitano de Santiago.[11]

The Colegio Nacional supervises and coordinates the work of 12 regional colegios, and its governing council includes general members plus a delegate from each regional colegio. Although it represents the profession nationally, its officers generally are those working in or near Santiago. The Colegio Metropolitano, the most powerful of the regional colegios, represents the largest group of journalists, about 800. Each journalist

pays a membership fee to his or her regional colegio, and a portion of it is forwarded to the Nacional.[12]

After the Colegio was founded in 1956, perhaps its most immediate impact was its role in support of journalism education and in making it a preferred way to enter the profession. Journalism schools subsequently were founded at the Universidad Católica in Santiago, the Universidad de Concepción, and the Universidad del Norte in Antofagasta. Although the Colegio did not require a journalism degree for membership until 1978, journalism schools were graduating, in the meantime, the bright young students who were to become the reporters and editors of today, and an inordinate number of them were women.

Daniel Galleguillos, acting president of the Colegio Metropolitano, says that the support of journalism education by the Colegio helped make the profession respectable and, hence, attractive to women.[13]

Ramiro de la Vega, editor of NuevAurora, goes even further. He suggests that too many male reporters were politicized, unpleasant, rude, poorly educated, poorly dressed and poorly paid. Public officials dealt with them only because they had no choice. The women graduating from the universities considered themselves professionals and expected to be treated

as such. Furthermore, many of the bright young men graduating in journalism could not support their families on the salaries available in the media at that time, so took jobs in public relations or corporate enterprises where salaries were better. The women, however, stayed in the media because they often enjoyed financial support from parents or spouses. Overall, Ramiro de la Vega maintains, women brought prestige and responsibility to the profession. "If one of them has a lover," he said, "at least it's after hours."[14]

Women presently make up more than half of the students in journalism schools, and two years ago ninety-eight per cent of the journalism students at Universidad Católica were women.[15]

Even if the schools have helped upgrade the profession, however, they are often viewed as inadequate because of poor funding and staffing. In February 1981, Galleguillos suggested that the government, rather than abolishing the Colegio and throwing journalism education into the free market, would do better to give substantial financial support to upgrading those schools already established. He pointed out that the budget for the school at the Universidad de Chile for the year, not counting salaries, was a mere 125,000 pesos ($3,205).[16]

Perhaps the role of the Colegio has been even more interesting, however, in matters of freedom of the press. Before Pinochet, Chile's press had traditionally been a politicized and polemic one with vigorous dissent often expressed in blunt, undecorous, and sometimes obscene language. In general, newspapers tended to be defined by political position, as were many reporters and editors. "It has been said," observed one journalist, "that Chilean men love politics, horse races, and women — all probably in that order."[17]

In the 1960s and early 1970s, the contrast was notable between the sedate image and language of El Mercurio, an independent, conservative newspaper, and the raucous tone of Clarín, an independent daily which first supported Eduardo Frei, a Christian Democrat, and then later Allende, a Marxist. During Allende's government, Clarín's tone became even more shrill, and other intemperate voices joined the fray, such as Puro Chile, subsidized by the Communist party (along with its official newspaper El Siglo); La Tribuna voice of the rightwing National Party; La Prensa of the Christian Democrats; and Sepa and PEC, both of the far right.[18]

In short, of the 13-14 newspapers extant in Chile in 1972-73, only El Mercurio, Ultimas Noticias, La Segunda (all of the El Mercurio company), La Tercera de la Hora, and perhaps Clarín were not subsidized directly or indirectly by political parties or political groups.

Jerry Knudson in his paper "The Chilean Press Since Allende" comments that this produced ". . . a vibrant — even joyous — exchange of opinion in the marketplace of ideas in Santiago."[19]

Not all observers agree. Raquel Correa, one of Chile's most aggressive and respected interviewers, fought to remain aloof from the political arena because she believed that the politicization of journalists had resulted in journalists and publications of both extremes, leaving truth the victim of their excesses. She observed in 1972:

> It is bad for journalism and it is bad for the country. Who can believe anything that is written if all journalists are partisan? All lie, or distort news by display. Buying a newspaper today is like going into a shoe shop to buy shoes and being sold oranges.[20]

This politicization of journalists was, of course, reflected in the operations of the Colegio. For years, it had accommodated journalists of varying views not only within its membership but on its governing council—independents, conservatives, Christian Democrats, Marxists, advocates of the National Party, and communists. During the 1960s, they managed to work out most of their differences on legislation affecting the press, the need to set minimun wages and free-lance fees for the profession, and the value of university education as a prerequisite for colegiación.

As noted earlier, the "puerta falsa" (false door) into the Colegio, Art. 24 of its charter, was considered a transitory provision to permit those then working in the profession to become members. During the early years, it created some discord so the Colegio did not push hard for its repeal, understandable at a time when a large number of its members were graduates of the school of experience.

The massive growth in publications prior to and during the Allende government, especially those controlled directly or indirectly by government or leftist groups, also provided a growing job market for the ideologically driven, and they found easy access to the Colegio through Article 24.[21] By 1972, the violent political clashes in the streets and in the media during the first general strike against Allende were also being reflected within the Colegio.

Carlos Sepulveda, a Christian Democrat, was president of the Colegio Nacional; María Eugenia Oyarzún, a political reporter for La Tercera who tried to stay above the fray but finally took an anti-leftist position, was vice president; and Alfredo Olivares, a sports reporter for El Siglo and a communist, who had also served as president in 1970, was treasurer.[22] Almost each day was a crisis, as political divisions and disagreements

among members became acute.

Some believed that the program of the Unidad Popular party to put the mass media into the hands of social organizations would be implemented eventually as the far left took control, and that freedom of the press would be lost in the process because such organizations would be government controlled or sponsored. The leftists in the Colegio, on the other hand, were just as positive that their cause was a just one. Each group fought to dominate the Colegio.[23]

When the Allende government fell in September 1973, the country was in a chaotic state. Those who saw no other viable alternative to the Allende government supported the military government in its attempt to restore order. Those journalist who had used their pens to support the Allende government either fled the country,[24] went into hiding, or were imprisoned. Some simply disappeared, never to be seen again.[25] The government imposed martial law and prior censorship, closed down leftist newspapers and magazines, and took over radio and television stations. With these acts, the market place for working journalists shrank markedly.

The Colegio itself was a victim of chaos with divided loyalties and many of its members missing. Yet somehow, unofficially, it functioned. Various

members and officers of the Colegio Nacional and the Colegio Metropolitano went to the National Stadium to try to identify and make lists of those journalists imprisoned there. Time was of an essence, because in some cases people disappeared, were sentenced to prison, or exiled in as little as three days. Families of missing journalists beseiged the offices of the two colegios for help.[26]

The emergency brought together such political opposites as María Eugenia Oyarzún, Alfredo Olivares, Ramiro de la Vega, and Octavio Neira as a committee to locate imprisoned journalists and to see whether they were mistreated.[27] Neira said he was impressed by the courage of Patricia Guzmán, a vigorous opponent of the Allende government and vice president of the Colegio Metropolitano, who visited jails and prisons with him, under extremely dangerous conditions.[28]

A wood carving signed by nine journalists and dedicated to Carlos Sepulveda, president, and María Eugenia Oyarzún, vice president, of the Colegio Nacional, and to Danos Peña, an attorney, for their visit to Chacabuco on July 24, 1974, hangs today in the office of the Colegio Nacional. Chacabuco is an abandoned salt mine and village in Antofagasta (northern Chile) used by the military government as a prison.

The situation was particularly intense during 1974-75, and Fernando Díaz Palma, who later became president of the Colegio Nacional, was another who worked quietly and tactfully to ameliorate the situation. Oyarzún maintains that his efforts were vital to the survival of many journalists and to that of the Colegio. Yet because of the delicate nature of his negotiations, they never became known even to many of his colleagues.[29]

During this period, the remaining journalists, newspapers, magazines, radio and television stations faced not only difficult economic conditions, but also an increasing number of military decrees restricting their operations. Because meetings were banned, the Colegio Nacional could not meet with its membership, although Díaz Palma obtained authorization for a meeting of the regional and national officers on July 30, 1977. Officers and various members of the Nacional and Metropolitano colegios, however, continued to protest each new decree infringing on freedom of the press. Finally, in 1979, the government authorized a general assembly (a voting body of delegates) of the Colegio Nacional, its first in six years.[30]

The general assembly of May 24, 1979, discussed three critical problems: the economic situation faced by the mass media and the journalists, the need for reform of the pension plan, and the restrictive decrees and laws affecting the press. It protested vigorously such restrictive measures as Bando 122

of 1978 (a modification of Bando 107) requiring military authorization to start a new publication; the section of the Internal Security Law making it a crime to publish news, true or false, that could cause public panic or disgust; Decree Law 1281 of 1975 permitting military zone commanders to suspend the printing, distribution or sale of publications for six editions (broadcasts for six days) for printing information that might tend to create public alarm or disgust; and a government-proposed modification to the Colegio's basic charter prohibiting a journalist judged guilty of a political crime from practicing the profession for ten years.[31]

Also upsetting to Colegio members were the provisions affecting freedom of the press in the proposed new constitution. A committee drew up guidelines for the new constitution which the assembly approved. Its most controversial recommendations were that the new constituion should leave control of television stations in the hands of the state and the universities, and that it should prohibit both state and private monopoly of press, radio, or television. The new constitution proposed by the military, on the other hand, would open television to the market place and prohibit only state monopoly of press, radio, or television.[32]

Colegio members also expressed concern that 400 of Santiago's 1,240

journalists were jobless, 200 were working by necessity in other fields, and 150 had left the country. They also suggested the Colegio hold elections to renovate the regional and national governing councils, most of whose members had served since 1973, or had been appointed by the military government, and that a national congress be authorized as soon as possible so they could examine in depth what goals and actions the profession should take. Overall, the meeting was one of harmony and general accord as it recommended the repeal of all laws, decrees and bandos restricting freedom of the press.[33]

That was not the case, however, when the Congreso Nacional met five months later. Internal discord had been growing within the governing councils of the Nacional and Metropolitano colegios over their administration, and onslaughts against freedom of the press had demanded time and energy. Among the most difficult was the closure of the magazine Hoy, perhaps the strongest voice of opposition to the military government, for 60 days in June 1979 by the military commander of the Santiago area. Hoy carried the case to the Supreme Court, but lost.[34]

Díaz Palma, president of the Colegio Nacional, wanted the Congreso to be a broad-based one. He invited government authorities such as the Subsecretary of Interior; the director of DINACOS, the government body charged with monitoring the media; and the heads of universities, most of whom declined. Also

invited were the directors of the journalism schools, journalism students, directors of media, and heads of local and foreign news agencies.[35]

Organizing the Congreso was not a simple matter. The Círculo de Periodistas made its modest vacation facilities at El Tabo available, but even then the registration fee of 1,000-1,300 pesos for room and board was restrictive for journalists working at minimun scale of 6,370 to 7,985 pesos monthly. Octavio Neira, president, and Felidor Contreras Muñoz, secretary general, of the Metropolitano sent a sharply worded letter to Díaz Palma suggesting that registration fees should be lower:

> It is unpayable if one considers the low wages journalists in general receive. Those who live far away must pay round trip travel. . . . This means that perhaps those who legally and morally should attend cannot, but those with 1,300 pesos can.[36]

Although the Colegio Nacional originally had offered to pay transpqrtation for delegates, it subsequently agreed to cover all expenses for the presidents of the regional colegios.[37]

Before the Congreso could elect presiding officers, Díaz Palma read a letter from the Subsecretario del Interior authorizing the Congreso and the Assamblea, a meeting of voting delegates, that was to follow. It also informed the delegates, however, that the meetings could be informative only, and had to held under the direction of the governing council of the Colegio Nacional.[38]

A vigorous argument developed among delegates — those who thought the limitations set by the government should be accepted, those who wanted to reject them outright, and those who preferred to suspend debate for consultation. The latter prevailed. In the afternoon, Díaz Palma announced that the governing council had agreed to accept the government limitations.[39]

In the uproar that followed, delegates called for an assembly, or at least an emergency plenary. At the same time, a heated argument between Díaz Palma and Emilio Filippi, editor of the magazine Hoy, broke out as Filippi maintained that the Congreso could not possibly work under such restrictions. The heat of the arguments among delegates was such, one reporter observed, that some feared not only the Congreso might be destroyed, but the Colegio itself.[40]

The Congreso was paralyzed the whole day. Filippi wrote later that some thought the journalists of the "opposition" wanted to censure the Colegio officers who were presiding so they could replace them with ones more openly belligerent to the government. He denied this, and said that if the Congreso could not deliberate, but only receive information from its officers, it would have been ineffectual and a farce.[41]

The next day Díaz Palma announced that the governing council had rejected

the government's terms as restrictive to the right of the Colegio to conduct its own business. Thereafter, and in defiance of the government order, committee work and other activities proceeded in harmony.[42]

Colegio members once again rejected all laws, decrees and edicts against freedom of expression promulgated by the government. They also unaminously rejected the provisions on the press recommended by a government committee (Comisión Ortúzar) for the new constitution, reaffirming their support of those recommended by the general assembly in May.[43]

They called for the elimination of government-proposed provisions for the Colegio's charter that would deny membership for ten years to those convicted of political crimes, deny regional colegio presidents the right to vote in the national governing council, and permit persons other than journalists to be editors of media.[44]

They also set up a permanent committee for the defense of freedom of the press, charged the Colegio with drawing up a code of ethics, recommended that an institute be set up to provide in-career training, and requested that the government set higher minimum wages and higher pensions for the profession. In addition, they asked for the return of those journalists in exile.[45]

The open debate and the rejection of the government's efforts to put a lid on the conference was a heady experience for journalists too long accustom to self-censorship. Hernan Millas, managing editor of Hoy, commented later that Col. Enrique Montero Marx, Subsecretary of the Interior, should have been awarded a medal, because his order forced the journalists to work together, and hence united and strengthened the Colegio.[46]

La Tercera noted in an editorial that some members obviously wanted to give political connotations to an event absolutely professional, and that once such ideological intentions were put aside, accord was quickly reached.[47] El Mercurio, however, cautioned that in spite of the consensus reached, it was obvious that divisive political groups existed in the Colegio.[48]

Indeed diviseness was evident, especially in the Colegio Metropolitano's relationship with the Nacional. Because its eleven member governing council was elected during Allende's government, a fair number were leftists. In 1974, the government filled vacancies by decree, continuing remaining members. Subsequently, membership dwindled because some left to work outside the country, others dropped out because they disagreed with how the council was being run, and still others retired or died — and the government failed to appoint

replacements. By 1980, control had fallen largely into the hands of three of the four remaining members,[49] all Christian Democrats or communists.[50]

After complaints about irregularities in its operations, the Colegio Nacional designated an inspector to check the Metropolitano's records. He found them under lock and key to him, and this resulted in a series of investigations which brought in the Controller General to audit the books. The auditor found accounting shortages for 1976 and 1977 and also other anomalies in its operations. The case was referred to the Second Criminal Court of Santiago.[51]

At the request of the Colegio Nacional, the government appointed seven new members to the Metropolitano council on May 9, 1980, and five of them soon joined with a remaining member to censure the three officers of the Metropolitano for negligence and mismanagement. They also declared null all previous agreements and actions of the council.[52] Octavio Neira, the president, immediately charged that their action was not only illegal but bordered on libel, and he threatened to sue.[53]

A series of charges and counter charges resulted,[54] and then on July 25, Neira and the secretary general resigned their posts (as did the treasurer later) and new officers were elected.[55] The three former officers still remain on the council, however, so one may assume that sharp disagreements

still arise.

The Colegio was kept busy between assemblies the next year fighting to retain and expand what freedom of expression existed. It was often a disheartening battle. Along with the Asociación Nacional de la Prensa, representing publishers, and the Asociación de Radiodifusoras de Chile, representing radio stations, it lobbied for changes in the proposed new constitution affecting freedom of the press.

It also tried to help in the Gente Actual case. On Oct. 22,1979, Empresa Editora Araucaria, the publishing company of Hoy, requested authorization to publish a new magazine, Gente Actual. When the area commander finally replied on May 6, 1980, he denied authorization and without any explanation.[56] The pilot copy of the magazine appeared innocuous enough, but one may assume he viewed it as another voice for the opposition.

The Colegio Nacional issued strong protests. Silva Pinto, acting president of the Colegio and former editor of La Cronista (the government newspaper), declared that the Colegio disagreed with the decision and found it incomprehensible that no explanation was given. "All professional journalists," she said, "reject measures that affect freedom of expression, whatever may be the characteristics of the government that applies them."[57] The protests had little effect. Although the Santiago Appeals Court found that the

commander did not have the power to deny circulation of the magazine,[58] in October 1980 the Supreme Court, by a vote of three to two, upheld the prohibition, noting that the decision of the military commander was "reasonable" for preserving internal order.[59]

By the time the Colegio held its next assembly in May 1980, the picture had not changed markedly, and the meeting was marred, furthermore, by the death of Rene Silva Espejo, the editor of El Mercurio and a distinguished journalist. The records of this meeting available to the writer at the Colegio offices were few and sketchy.[60] Its council found it necessary, in any case, to call for a special assembly on Aug. 29 to confront the new constitution issued by the government.

The constitution ignored entirely the recommendations of the Congreso at El Tabo and those submitted by the three professional organizations. In a committee report on "The Journalist and Present Legislation," Tomás Mac Hale, professor of ethics and press law, noted that the grave dangers in the new constitution included provisions for 1) the replacement of Bando 122 with the permanent right for the president to authorize new publications, 2) a law concerning cinema, theater, folklore, literature, etc., which opened the way for a prior censorship unprecedented in Chile, 3) a right to privacy whose

definition was far too hazy, and 4) a permanent right of the government to maintain a state of emergency for the next eight years. A provisio . also took from the state and universities their exclusive right to own and run television stations.[61]

The Colegio's recommendations concerning the proposed reforms to its charter were also largely ignored. The only change made by the government committee was to reinstate voting rights in the national council to regional colegio delegates.[62]

The assembly denounced unanimously the increasing attacks against journalists, and noted that two colleagues had been condemned to four and three years banishment, with one denied forever the right to hold public office. Two journalists and two journalism students had been abducted, and one of the students had died of the tortures he suffered. Two television cameramen and a photographer from La Tercera had been assaulted by soldiers while working. Furthermore, its declaration noted, journalists were being intimidated by threats of arbitrary dismissal from their jobs, threatening phone calls and letters, and threats of physical attacks. The assembly asked the authorities to end these violations of freedom of expression.[63]

By October 1980, the Colegio also had adopted a new provision to its ethical guidelines that would ban the illegal exercise of the profession.

The regular employment of non-colegio members, it announced, by publishers and news directors of newspapers, magazines, news agencies, radio and television stations was not only illegal, but "a grave ethical fault."[64] The effect of this act has yet to be measured, but it was apparently aimed not merely at the privately owned media, but also those of the government.

It was at this time, when the decision by the Supreme Court about Gente Actual became known, that the case of Delia Vergara was also noted by Lisandro Canape Guzmán, the new Colegio president.[65]

Vergara, a graduate of Columbia School of Journalism, had edited the woman's magazine Paula during the early 1970s and made it an outstanding publication with a circulation of 80,000. Feminist in view, liberal, and stylish in approach, it was well conceived, well written, and well designed.[66] After the Allende government fell, the women of Paula worked many hours, under difficult conditions, to help those journalists and their families suffering under government oppression.[67]

This experience, Vergara says, angered her and she became politicized. She joined Radio Cooperativa, a station of the Christian Democrats, and served as its news director from 1976-79. In March 1980, she applied for permission to publish Cándida, a new magazine for women. By March 10, 1981, she

was still awaiting a reply from the zone commander.[68]

Because of her work with Cooperativa, she suspects the government considers her intent political, although she says it is not. In any event, she cannot carry her case to the courts because she has never received a response to her request.[69] She is, in effect, denied recourse through silence. Records available indicate that the Colegio has not protested her case as vigorously as it did Gente Actual. One cannot determine, however, whether it is because the Colegio gives less value to a woman's publication, is exercising political discretion, or merely has been occupied with other matters more pressing.

Other matters, indeed, were pressing. In January 1981, a decree opened education to the market place, permitting professional education, among others, to move outside of the universities. The Colegio immediately called a special assembly to voice its protest and unanimously rejected the provisions which would permit any center, institute, school, or other such entities, to offer journalism education.[70]

The assembly also reviewed the 25 various government actions that "had profoundly damaged" the profession during the last seven years and supported the Colegio's fight against the decree. It also suspended all plans to

celebrate "The Day of the Press" on Feb. 11.[71]

The actions of the assembly apparently irritated the acting secretary of the government and he dismissed the meeting as one where agreement was divided, attendance poor, and the tone "political." Las Ultimas Noticias noted, however, that the assembly was one of the largest in recent years and members showed surprising unity.[72]

By Feb. 17, one institute, Escuelas IADE, had announced it would open a journalism program by correspondence in March and/only prerequisite was that a student know how to read and write.[73] Daniel Galleguillos, acting president of the Colegio Metropolitano, commented that it was obvious what kind of journalists would come out of such a program.

> Probably, they will be of the type as the pseudo journalist Mella, involved in the assassination of Somoza, or the pseudo journalist Oyarzo, detained in Punta Arenas for spying against his own country. They exercised journalism freely, and they have never been colegiado. Their lives are models indeed.[74]

In spite of the opposition of the Colegio and many of the academic community, however, the government did not delay long in its coup de grace for the Colegio de Periodistas and all other professional colegios. In February, it issued Decree Law 3,621 which placed professional colegios under the regulations governing trade unions and obliged them to draw up statutes for

for their own voluntary "asociación gremial," or trade union, within ninety days or be dissolved. It also placed all ethical discipline into the hands of the courts.[75]

After finally obtaining permission from the government, the Colegio held a special assembly on March 9, 1981, to review the decree and decide what actions it should take. It issued a declaration analyzing the impact of the law and listing its objections against it. Because it feared some newspaper would bury any story about the declaration, the assembly voted to place it as an ad in the major newspapers. Some papers, they observed, supported the decree because it would permit them to hire whom they chose, and to pay them as little as they wished.[76]

To show how strongly members opposed the decree, the Colegio decided to ask them to vote on March 16-17 to indicate whether they supported the Colegio. When the results were first published, 1,137 or 97.4 per cent had voted "si" and 30 "no." La Nación, the government newspaper, observed that only a minority of the journalists really supported the Colegio, however, because 3,505 journalists were on its register and less than 1,200 voted.[77]

This observation precipitated a flurry of activity in the offices of the Colegio Nacional and Metropolitano, as officers tried to determine how many

on their registers were alive and actually working in the profession, and how many retired or living outside the country. It was an impossible task largely because everyone was still on the register who had entered the Colegio since it was founded.[78] They settled for a declaration arguing that the number voting in the Metropolitano and Valparaíso colegios in the last election, 902 and 158, could provide a measure of the number of active members in the Colegio. On that base, 82 per cent (740) of the Metropolitano members and 100 per cent (158) of those from Valparaíso voted. According to the overall figures, 1,298 or 97.3 per cent of those members who voted supported the Colegio.[79]

One factor, some journalist maintain, that limited participation in the voting was that directors of government communication enterprises, such as La Nacion, the television stations (all directly or indirectly controlled), radio stations of the national network, and Agencie Orbe, threatened to fire those journalists who voted. Patricia Guzmán, news director of National Television and a former vice president of Metropolitano, however, was pointedly excluded from the group.[80]

In its analysis of Decree 3,621 and related laws, the Colegio maintained that 1) it would convert the Colegio into a company union for enterprises that operated only for a profit; 2) without obligatory membership there would be no

way to accredit journalists; 3) if only 25 members were needed to form a trade union, it would result in groups with political not professional ends; and 4) inconsistencies in deadlines for implementing statutes and laws would leave the profession without ethical surveillance for an extended period.[81]

Tomás P. Mac Hale, writing in El Mercurio, discounted the Colegio's objections. He said, for example, that the communication media could accredit their own people. He also argued that the Colegio was a monopoly and thus limited freedom of expression and of the press to only those with university degrees. He concluded, hence, that the end of obligatory colegiación and the end of the requirement of a university degree were substantial steps toward greater freedom. He lamented, however, that such steps were counterchecked by constitutional, legal and administrative provisions limiting freedom of information and opinion.[82]

Such was the tenor of the arguments for and against the Colegio's existence and its role within the profession. Whatever its value, however, it must be noted that it has always struggled with political divisiveness among its members, apathy, a small budget and staff, and even the inability to enforce its own regulations.

Once admitted to the Colegio, for example, some members never bothered

to renew their credentials and thus failed to pay membership fees. Their wages had never been high, but the unemployment and economic situation after the military coup only aggravated the situation, as journalists were imprisoned and others struggled to survive. In 1979, the Colegio Metropolitano tried to ameliorate the situation by excusing back payments of members who until May 1979 had been professionally unemployed, but thereafter requiring all journalists, without exception, to pay the normal fee of one per cent of their taxable yearly income.[83]

Because large newspapers and other sizable companies deduct Colegio fees from employee salaries, most laggards tend[ed] to be freelancers or those who work[ed] for small companies employing few journalists. The effectiveness of the 1979 edict, however, appears to have been minimal. During March 1981, some members were still in arrears. For example, when the secretary of the Colegio visited an office to collect membership fees, a journalist who had not paid for years finally did so even though it was costly. She said she had never thought much of the Colegio, but now it was under seige she felt compelled to support it.[84]

Neither has the Colegio been effective recently in raising the minimum wage for journalists by appealing to the government. In 1980, El Diario

Austral of Tumuco observed that on the "Day of the Press" in 1975, General Pinochet had said that journalists should receive incomes that would permit them to live with dignity. Five years had passed, the paper noted, with almost yearly appeals from the Colegio to raise the wage scale, and the government had failed to act. Many of the media, it said, had made the minimum [$163 monthly in the provinces] the maximum, certainly an indignity.[85]

There is little evidence, furthermore, that the Colegio has disciplined its members for ethical infractions by withdrawing credentials. Records in the Colegio Nacional indicate that 10 memberships have been cancelled during the years, but the causes are not listed. Lisandro Canape Guzmán, the present president, says that over the years two journalists have been suspended from provincial colegios, but he stresses that complaints may not always come to the Colegio because they may be taken to it, or to the courts, or to both. He noted, however, that should the Colegio expell a journalist and the court find him innocent, the decision of the Colegio would still prevail.[86]

Raquel Correa, among other journalists, says she believes the Colegio has been ineffective in ethical matters. She recalled that she once demanded the right of reply on a newspaper story and when she failed to receive it, she complained to the Colegio. After an appointment, she heard nothing more.[87]

Those who have viewed the excesses of the press in Chile, particularly from 1968-1973, might also question the efficacy of the Colegio in ethical matters. It should be mentioned, however, that although the Colegio has always had the right to discipline members, it has operated only under a set of ethical guidelines (Carta de Etica) adopted in 1968 and reaffirmed in 1979 when it requested a committee to draw up a code. The Carta de Etica is long and complicated, with 22 articles, and appears difficult to enforce even though it provides a standard for performance.[88]

Still, many Colegio members maintain that the mere presence of the Colegio has brought about greater responsibility in the profession, although others credit the schools of journalism and communication for any improvement. Overall they agree, however, that the education level of journalists has risen since the founding of the schools, in spite of those who slipped through the "puerta falsa" for so many years.

Perhaps the most difficult of the Colegio's activities to evaluate is that involving freedom of the press. Many journalists were in the forefront of the battle against the Allende government, fighting against those who they believed would eventually eliminate any semblance of press freedom. Yet they worked with their colleaguesto help imprisoned and exiled journalists and to gather funds for them and their families. According to Filippi, the Colegio

de Periodistas was the only professional colegio to do so.[89]

At first, many who had wanted a change in government accepted restrictions on their freedom as a necessity for restoring order, but they did not let them go unnoticed. The number of decrees and laws and edicts limiting freeom of expression continued to increase, however, and today one can note a marked degree of disillusionment and frustration among those who supported the overthrow of the Allende government. They find themselves still chaffing under oppressive press limitations after years.[90]

The Colegio has protested in one form or another every decree the military government has issued limiting freedom of the press, but little evidence exists that the government has taken it seriously. For example, the government ignored the Colegio's recommendations and incorporated restrictive measures it opposed into the new constitution. Yet some journalists argue that colegios have wielded considerable power, and a measure of their influence is that the government wants to get rid of them.

In any event, the government's rigidity in its view and actions regarding professional colegios apparently has, in effect, activated a "contra" or anti-government group that iid not exist formerly. Certainly those journalists who worked for the downfall of the Allende government, one journalist observed,

had not done so to see their colegio and freedom of the press destroyed.[91]

What does this really mean for the future of the Colegio? As of March 24, 1981, many doubted that it would survive, in spite of its efforts and those of the confederation of professional colegios to convince President Pinochet to intervene in their behalf. They were resigned to make do as best they could, even though fighting the decree to the last ditch. A rare journalist here and there welcomed the proposed changes, and one suggested that a number were interested in starting a professional organization similar to the Washington Press Club, one that could take a "professional" stand on freedom of the press.[92]

It is likely, however, if the decree stands, that the Colegio will take on the nature of a trade union. Because it has had the right to set free-lance fees and recommend minimum wages, it already has some aspects of a union. It is likely that more than one such union may be formed, separating from one another those of differing political philosophies. It is also likely, in such a small and competitive journalistic market, that most future journalists will be graduates of university programs.

Some argue that the colegio concept is so durable and its advantages so obvious that the Colegio will rise again when the political climate changes. How effective it really has been, however, in matters of freedom of the

press probably never can be measured. One journalist observed simply, "but neither do we know what might have happened if the Colegio hadn't existed.[93]

FOOTNOTES

1. Inter American Press Association. Reports of Committee on Freedom of the Press, Annual Meetings 1975–80, and Midyear Meetings, 1978–81. (Mimeographed.)

2. Colegio Nacional de Periodistas, "Sueldos mínimos a contar desde 1 de octubre de 1981. (Carbon)

3. Arrival of correspondence at the Colegio Nacional was witnessed by this writer in December 1972.

4. Inter American Press Association, Report of Committee on Freedom of the Press and Information, San José, Costa Rica, March 1980, pp. 1-13.

5. Victor Abudaye, et al. "La nueva normativa de los colegios profesionales," report presented to the asamblea extraordinaria of the directors and regional presidents of the Colegio Nacional, March 9, 1981. (Mimeographed.)

6. Elizabeth Subercaseaux, "'Ahora las universidades tendrán que competir para captar alumnos,'" Cosas, Feb. 12, 1981, pp. 16-18.

7. Raquel Correa, "'El gobierno quiere terminar con las organizaciones profesionales o disminuir su posible influencia,'" Cosas, Feb. 12, 1981, pp. 12-13. (Interview with Julio Durán Neumann, president del Colegio de Abogados y director de la Confederación de Colegios Profesionales.)

8. "Los dirigentes de colegios profesionales insisten en dialogar sólo con el Presidente," La Segunda, March 3, 1981, p. 4 and "Carta Abierta. Los colegios profesionales universitarios al señor Presidente de la República," dated March 17, 1981, and published in La Tercera, March 21, 1981. The open letter to the president was signed by 19 colegios; the Colegio de Profesores earlier agreed to talk with lesser authority.

9. Art. 24, Ley No. 12.045, July 11, 1956.

10. Art. 20, Ley No. 12.045, July 11, 1956.

11. Interview with Juan Emilio Pacull, former president (1959) Colegio Nacional de Periodistas, and a founder of the Círculo Nacional de Periodistas, Dec. 4, 1972.

12. Active member figures are extremely difficult to determine, as will be explained later. Estimates for the number of those exiled range from 50–200, and no figures are available on those who were killed or simply "disappeared." The figures used in this paper will be those offered by the sources cited.

13. Interview with Daniel Galleguillos, vice president and acting president, Colegio Metropolitano, March 12, 1981.

14. Interview with Ramiro de la Vega, editor of NuevAurora, published by the Círculo de Periodistas, March 13, 1981.

15. Interview with Pilar Vergara Tagle, managing editor, La Segunda, March 16, 1981.

16. Malú Sierra, "'Parecer que hay grupos y asesores empenados en aislar al gobierno de la gente,'" Cosas, Feb. 12, 1981. (An interview with Daniel Galleguillos.)

17. Interview with Washington González, librarian, El Mercurio, Nov. 24, 1972.

18. Jerry Knudson, in "The Chilean Press Since Allende," paper presented to the International Division, Annual Convention, Association for Education in Journalism, 1979, notes that Sepa and PEC were alleged to have been financed by the Central Intelligence Agency.

19. Ibid.

20. Interview with Raquel Correa, managing editor Vea and political interviewer, Channel 13, Nov. 20, 1972.

21. In addition to El Siglo, the leftist press included such publications as Causa Marxista, Chile Hoy, Enfoque, Leninista, Paloma, Principios, Punto Final, Puro Chile, El Rebelde and the output of the Lord Cochrane publishing house taken over by the government.

22. Interview with Alfredo Olivares, March 20, 1981. Olivares continues as the Colegio's treasurer. Since El Siglo closed, however, he has not worked in the profession, and he presently teaches in an elementary school.

23. Interview with Silvia Pinto Torres, political columnist La Tercera and commentator on Channel 7, National Television; communication consultant, Banco de Crédito de Chile; former editor of the government newspaper La Cronista (now called La Nación); and vice president, Colegio Nacional.
Frida Modak, press secretary to President Allende, said in an interview on Nov. 24, 1972, that the battle lines had been drawn.

24. Hernan Millas, "Por la libertad de expresión, Hoy, May 30- June 5, 1979. p.6.

25. Interview with Octavio Neira, retired journalist and former president (1980), Colegio Metropolitano, March 20, 1981.

26. Olivares interview.

27. Ibid.

28. Neira interview.

29. Interview with María Eugenia Oyarzún, political interviewer, La Tercera, and former vice president of the Colegio Nacional, March 16, 1981.

30. Government authorization is still required for meetings of this nature.

31. Millas, "Por la libertad," pp. 6-8.

32. Ibid.

33. Ibid.

34. Interview with Emilio Filippi, editor of Hoy, March 17, 1981.

35. Colegio Nacional, "Invitados, tercer congreso nacional y asamblea nacional extraordinaria," Sept. 24, 1979.

36. Colegio Metropolitano. Letter from Octavio Neira Urrutia, president, and Felido Contreras Muñoz, secretary general, to Fernando Díaz Palms, president, Colegio Nacional, Aug. 27, 1979.

37. Colegio Nacional, Letter to members from Werner Arías, acting secretary general, Sept. 20, 1979.

38. "Oficio del gobierno creó tenso clima en congreso de periodistas," La Tercera, Oct. 13, 1979.

39. Ibid.

40. Ibid.

41. Emilio Filippi, "El congreso de unanimidad," Mensaje, December, 1979, p. 821.

42. "Congreso de periodistas rechazó oficio restrictivo de gobierno," La Tercera, Oct. 14, 1979.

43. "El 'histórico' congreso de El Tabo," NuevAurora, Vol. 1, No. 14, 1979. p.4.

44. Ibid.

45. Ibid.

46. Hernan Millas. "Periodismo I. El congreso de la unanimidad," Hoy, Oct. 17-23, 1979, p. 8.

47. "Libertad de prensa," La Tercera, Oct. 15, 1979.

48. "Congreso de periodistas, El Mercurio, Oct. 16, 1979.

49. "Declaran nulos los acuerdos de directiva de los periodistas," El Mercurio, June 24, 1980.

50. "Colegio de Periodistas," La Nación, June 23, 1980.

51. "Declaran nulos," El Mercurio.

52. "Nuevos dirigentes declaran nulos los acuerdos de directiva de periodistas," La Tercera, June 24, 1980.

53. Ibid.

54. "Dirigentes de Consejo Metropolitano replican," La Tercera, June 28, 1980.

55. "Nueva directiva de Consejo Metropolitano," El Mercurio, June 27, 1980.

56. Letter from Humberto Gordon Rubio, General de Brigada, Jefe de Zona en Estado de Emergencia de la Region Metropolitana y P.S.A. to Sr. Victor Manuel Marshall Orrego, dated May 6, 1980, J.Z.E.E.R.M (O) No. 3550/699.

57. "Alcances sobre el caso de revista 'Gente Actual,'" El Mercurio, May 14, 1980.

58. " Corte de Apelaciones da la razón a 'Gente Actual,'" La Tercera, Sept. 13, 1980.

59. " La Corte Suprema mantuvo prohibición para 'Gente Actual,'" El Mercurio, Oct. 18, 1980.

60. Colegio Nacional, "Acta de la asamblea general ordinaria del Colegio de Periodistas de Chile," May 24, 1979. (Carbon.)

61. "Los periodistas y la Nueva Constitución," NuevAurora, Vol.3, No. 16 (1980), p. 13.

62. Ibid.

63. Colegio Nacional, Asamblea Nacional Extraordinaria, "Informe de la Comisión No. 1: El Periodistas afrente la legislación actual," Aug. 29, 1980.

64. "Peso de la ley caerá sobre 'periodistas prefabricadas,'" La Tercera, Oct. 2, 1980.

65. "'Pediremos de nuevo modificar leyes que co rten libre expresión," Las Ultimas Noticias, Oct. 19, 1980.

66. Interview with Delia Vergara, editor, Paula, Nov. 30, 1972.

67. Olivares interview.

68. Telephone interview with Delia Vergara, March 10, 1981. When Vergara was editor of Paula, her managing editor was Amanda Puz, a socialist. This may account in part for Vergaraś problem in getting authorization for Cándida.

69. Ibid.

70. "Asamblea de Combate," Hoy, Feb. 4-10, 1981, pp. 11-12.

71. Ibid.

72. Ibid.

73. "Institutos: Cursos de periodismo por correo," El Mercurio, Feb. 18, 1981.

74. "Periodistas se formarón ahora por correspondencia," La Tercera, Feb. 18, 1981.

75. Tomás P. Mc Hale, "Nueva norma periodistica," El Mercurio, March 17, 1981.

76. Notes taken by the writer during the assembly, March 9, 1981.

77. "Minoritaria concurencia de periodistas," La Nación, March 18, 1981.

78. The writer was in the Metropolitano offices during this activity, March 18, 1981.

79. "Terminante desmentido hace Consejo Nacional," La Tercera, March 21, 1981.

80. Sources the writer prefers to protect.

81. Colegio Nacional, "Declaración," dated March 9, 1981, and published as a paid ad in El Mercurio and La Tercera, March 11, 1981.

82. Mac Hale, "Nueva norma." On Sept. 27, 1979, La Segunda, also of El Mercurio company, editorially took the position that freedom of association was limited by obligatory colegiación, and that the required wage scales limited the right of professionals to negotiate their own pay and of the younger hands to get jobs because the media had to pay them the same as more experienced ones.

83. "Condonan cuotas a periodistas cesantes," La Tercera, Sept. 25, 1979. The Colegio later also excused payments by all unemployed journalists.

84. Source this writer prefers to protect.

85. "Periodistas piden su su apoyo a General Augusto Pinochet," Diario Austral, Temuco, Sept. 2, 1980.

86. Interview with Lisandro Camape Guzmán, president, Colegio Nacional, and secretario de redacción, El Mercurio, March 13, 1981.

87. Interview with Raquel Correa, special interviewer, El Mercurio, March 9, 1981.

88. For a copy of the Carta de Etica see Emilio Filippi, Libertad de prensa, libertad de decir, Centro de Investigaciones Socioeconómicas de la Compania de Jesús, 1979, pp. 51-54.

89. Filippi, "El congreso de unaminidad."

90. The writer interviewed more than 25 journalists from March 2-24, 1981, and some of their remarks are incorporated into the paragraphs that follow. For obvious reasons, the writer prefers to protect these sources.

91. Ibid.

92. Vergara Tagle interview.

93. Source this writer prefers to protect.

ADDENDUM, June 3, 1981

In April 1981, the directors of the various colegios met with President Pinochet and were unsuccessful in their attempt to forestall the dissolution of their colegios into trade unions. They did, however, obtain concessions regarding their role in ethical matters and in the issuance of credentials to their members.[94]

The Minister of Justice, Mónica Madariaga, indicated in May that the government was studying the possibility of establishing independent regional courts of ethics that could judge serious offenses within the professions. She noted, however, that the new asociaciones gremiales, or trade unions, as juridical bodies, had full right to establish ethical norms for their members. Such norms, she observed, would permit them to sanction the unethical behavior of their members, but would not limit a plaintiff's recourse to the courts in cases of grave offense.[95]

Madariaga also noted the possibility that commissions could be created to deal with the ethical principles common to all professions. The government, she pointed out, had six months to draw up its plan and to establish norms for such matters.[96]

On May 8, 1981, the Ministry of Justice issued Law No. 630 establishing

a Public Register of Professionals. Such a register will include, separated by profession, the name, identity card number, degree, institution and date of graduation, and date of entry into the profession. It will also register all sanctions except verbal against a professional,and such sanctions will remain on record for five years.[97]

Although one need not register in order to exercise the profession, the the universities and other entities authorizing professional degrees will be required to forward the names of those receiving them. The trade unions, however, will be able to take to court those who "illegally" practice a profession.[98]

It is not evident what might be considered the "illegal" practice of a profession because there is no clear indication at this time what the pre-requisites are to enter one. Formerly, the colegios set the educational and ethical standards for their respective professions, and that right apparently has been taken from them. The new trade unions may issue credentials to their members, but at the moment it has not been clarified if such credentials are tied to educational prerequisites.

In an extraordinary assembly on May 6, 1981, the directors of the Colegio Nacional de Periodistas approved the editing of Colegio statutes to conform to

Decree Law 3,621 and renamed it the Colegio de Periodistas de Chile, Asociación Gremial. This move, the directors observed, permits the organiza- to continue to exist, while working to change the law and regain its old status.[99]

As noted previously, the new organization may eventually fragment by political views into various asociaciones gremiales. Whether it does, however, may well depend on whether the oppressive measures of the present govern- ment are sufficient to unite journalists against it.

FOOTNOTES ADDENDUM

94. "Serán creados tribunales para control de ética profesional," La Nación, May 7, 1981, and "Dirigentes de los periodistas dan a conocer sus inquietudes. Presentado memorándum al Presidente Pinochet," La Prensa (de Osorno), April 19, 1981.

95. "'Asociaciones podrán fiscalizar la ética,'" El Mercurio, May 6, 1981.

96. "Creado registro de profesionales," El Mercurio, May 9, 1981.

97. Ibid.

98. Ibid.

99. "Periodistas aprobaron readecuación de estatutos," El Mercurio, May 10, 1981.

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